

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Takenobu ARIMA, et al.  
Application No.: New PCT National Stage Application  
Filed: May 25, 2005  
For: BASE STATION APPARATUS AND ADAPTIVE MODULATION  
METHOD

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents  
Washington, DC 20231

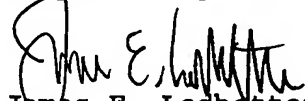
Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. Copies of the art cited in the International Search Report (ISR), which issued by the JPO, are made available to the U.S. examiner in the national stage application, pursuant to MPEP 1893.03(g), and therefore copies of such art are not submitted herewith. The art cited in the ISR is listed on the attached PTO-1449 for an indication of consideration by the examiner. Copies of any other references listed on the PTO-1449, besides those cited in the ISR, are submitted herewith. The 3GPP TR25.848 is discussed in the present application at page 1, line 14 et seq. and the T. UEHARA, et al. document is discussed at page 3, line 15 et seq. The following are English equivalents to foreign patent documents: US 424/JP 833, WO 531/JP 692, US 852/JP 769 and US 295/JP 037.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106.

Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,



James E. Ledbetter  
Registration No. 28,732

Date: May 25, 2005

JEL/spp

ATTORNEY DOCKET NO. L9289.05138

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INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.  
L9289.05138SERIAL NO. **10/536457**  
New PCT Nat'l Stage  
ApplicationAPPLICANT  
Takenobu ARIMA, et al.FILING DATE  
May 25, 2005GROUP  
Unassigned

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE APPROPRIATE
	2002 0 0 5 1 4 2 4	05/2002	Krishnamoorthy et al.			
	6 0 0 5 8 5 2	12/1999	Kokko et al.			
	2003 0 0 1 2 2 9 5	01/2003	Matsumoto et al.			

## FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
					YES NO
0 0 5 4 5 3 1	09/2000	WO			
2001 7 7 8 3 3	03/2001	JP			
2002 5 3 9 6 9 2	11/2002	JP			
1 0 1 0 7 7 6 9	04/1998	JP			
2002 7 8 0 1 2	03/2002	JP			
2002 1 9 9 0 3 7	07/2002	JP			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

PCT International Search Report dated March 23, 2004.

A. HARADA et al.; "Kudari Link Broadband OFCDM ni Okeru QoS o Koryo shita Tekio Musen Parameter Seigyō," The Institute of Electronics, Information and Communication Engineers Gijutsu Kenkyū Hokoku, April 12, 2002, vol. 102, no. 24, pp. 141 to 146.

T. UEHARA, et al.; "A Study of Rate Assignment Scheme of HSDPA Base Station," IEICE SST2001-77, RCS2001-260 (2002-03), pp. 1-6.

3GPP TR25.848 V4.0.0 (2001-03); 3rd Generation Partnership Project; Technical Specification Group Radio Access Network; Physical layer aspects of UTRA High Speed Downlink Packet Access; (Release 4), pp. 1-89.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered.  
Include copy of this form with next communication to applicant.